

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

NOLBERTO GONZALEZ-PABLO,

Petitioner,

v.

CIVIL ACTION NO. 2:25-cv-00368

CHRISTOPHER MASON, et al.,

Defendants.

**ORDER**

Pending before the court is Petitioner's Emergency Petition for Writ of Habeas Corpus, [ECF No. 1], and Petitioner's Emergency Motion for Temporary Restraining Order, [ECF No. 3]. Both were filed today, June 5, 2025.

Petitioner, through counsel, alleges that on May 30, 2025, he was detained into ICE custody and faces imminent removal. [ECF No. 1]. Petitioner alleges a number of violations including due process violations, unlawful reinstatement of a prior removal order, and violation of the Immigration and Nationality Act (INA) among others. [ECF No. 1]. Petitioner's Writ of Habeas Corpus alleges he will be removed from the regional facility tomorrow June 6, 2025, and deported on June 7, 2025. [ECF No. 1, at 2]. In another part of his motion, his counsel alleges that he was removed from the local facility this morning. [ECF No. 1, at 2]. In his motion for temporary restraining order, he alleges that Petitioner's deportation is tomorrow, June 6, 2025. [ECF No. 3].

It remains unclear whether the Petitioner has been taken out of the jurisdiction or when he is actually scheduled to be deported. Similarly, the court is uncertain whether the notice requirement of Federal Rule of Civil Procedure 65 has been satisfied. That uncertainty requires the court to act pursuant to the All Writs Act to preserve the status quo.

While the court is determining the existence of its jurisdiction and pursuant to the All Writs Act, the parties are **ORDERED** to maintain the status quo. The court orders that the Petitioner **SHALL NOT** be removed from this jurisdiction, and Defendants are **ORDERED** to **IMMEDIATELY** determine the location of Petitioner as of 4:00 p.m. today, June 5, 2025. The Defendants are **ORDERED** to file briefs to the court no later than 10:00 a.m. on June 9, 2025, explaining why Petitioner's Writ of Habeas Corpus should not be granted. A hearing on the motion is **SCHEDULED** for Monday, June 9, 2025, at 2:00 p.m., in Charleston, WV.

The court **DIRECTS** the Clerk to send a copy of this Order forthwith to counsel of record; any unrepresented party; the Office of the United States Attorney for the Southern District of West Virginia; the Attorney General of the United States at 950 Pennsylvania Ave. NW, Washington, DC 20530; and the Office of the Principal Legal Advisor of the U.S. Immigration and Customs Enforcement at OPLA-Philadelphia-DutyAttorney@ice.dhs.gov.

ENTER:

June 5, 2025



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE